

PHILLIP A. TALBERT  
United States Attorney  
JUSTIN J. GILIO  
Assistant United States Attorney  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
PEDRO DUARTE SANCHEZ ET AL,  
  
Defendants.

CASE NO. 1:22-CR-00305-JLT-SKO  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER  
  
DATE: June 21, 2023  
TIME: 1:00 p.m.  
COURT: Hon. Sheila K. Oberto

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on June 21, 2023.
2. By this stipulation, defendants now moves to continue the status conference until August 30, 2023, and to exclude time between June 21, 2023, and August 30, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes body-worn camera, investigative reports, photographs, aerial surveillance video, and other evidence. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. In addition, the government has confidential discovery that

1 it has made available to defense at the government's office.

2 b) Counsel for defendants desires additional time to meet with their clients, conduct  
3 independent investigation, review the discovery (including visiting the government's office to  
4 review the confidential discovery), and consider a potential pretrial resolution of the case.

5 c) Counsel for defendants believe that failure to grant the above-requested  
6 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
7 into account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the  
10 case as requested outweigh the interest of the public and the defendant in a trial within the  
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
13 et seq., within which trial must commence, the time period of June 21, 2023 to August 30, 2023,  
14 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results  
15 from a continuance granted by the Court at defendant's request on the basis of the Court's  
16 finding that the ends of justice served by taking such action outweigh the best interest of the  
17 public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
20 must commence.

21 IT IS SO STIPULATED.

22  
23  
24 Dated: June 14, 2023

PHILLIP A. TALBERT  
United States Attorney

25  
26 /s/ JUSTIN J. GILIO  
JUSTIN J. GILIO  
27 Assistant United States Attorney  
28

1 Dated: June 14, 2023

/s/ Michael Garey

Michael Garey  
Counsel for Defendant  
PEDRO DUARTE SANCHEZ

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5 Dated: June 14, 2023

/s/ David A. Torres

David A. Torres  
Counsel for Defendant  
LUIS ENRIQUE HIGUERA  
LOPEZ

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8  
9 Dated: June 14, 2023

/s/ Ryan Roth

Ryan Roth  
Counsel for Defendant  
VANESSA ARAUZA

10  
11  
12 **ORDER**

13 IT IS SO ORDERED.

14  
15 DATED: 6/15/2023

*Sheila K. Oberto*

16 THE HONORABLE SHEILA K. OBERTO  
17 UNITED STATES MAGISTRATE JUDGE  
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